

Notice of Allowability

Application No.

10/670,685

Examiner

Vincent E. Kovalick

Applicant(s)

HAVEY ET AL.

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's remarks and terminal disclaimer dated 6/19/06.
2. ☒ The allowed claim(s) is/are 19-30 (re-numbered 1-12).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 9/25/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This Office Action is in response to Applicant's Response and Terminal Disclaimer dated June 19, 2006 to USPTO Office Action dated February 24, 2006. In consideration of Applicant's remarks, the cancellation of claims 1-18 and submission of a Terminal Disclaimer, the Double Patenting Rejection of Application Ser. No. 10/670,685 is herewith withdrawn and the said application is placed in condition for allowance as set forth herein below.

2. Claims 19-30 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Relative to claim 19, the major difference between the teachings of the prior art of record (USP 6,029,508, Schoenbeck et al.; USP 5,589,577, Schultz and USP 5,408,359, Ferrett et al.) and that of the instant invention is that said prior art of record **does not teach** a portable electronic video display comprising a housing having an enclosed chamber and a viewing opening wherein the housing is configured to be worn on an operator's wrist, and further wherein the viewing opening comprises an eyepiece configured such that an eye region of the operator may be placed proximate the eyepiece; a display mounted in the housing; an optics assembly coupled to the display and mounted within the housing, the optics assembly for projecting an image generated on the display to the viewing opening; an RF receiver coupled to the display for receiving a signal from a source and inputting the signal to the display thus resulting in the generation of the image; and a data input control mounted to the housing and coupled to a transmitter for sending control signals to a stand alone computer.

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Regarding claim 26, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a portable electronic video display for use in conjunction with a computing device, comprising: an enclosed housing configured to be worn on an operator's wrist and having a viewing opening, wherein the viewing opening comprises an eyepiece configured such that an eye region of the operator may be placed proximate the eyepiece; a receiver mounted within the housing; a color sequential video display also mounted within the housing and coupled to the receiver for displaying a video image of a signal received by the receiver; a LCD color subtractive shutter optically aligned with the video display; an optics assembly coupled to the display for allowing an operator to view the image generated by the display through the viewing opening; and a data input control mounted to the housing and including a transmitter for transmitting control signals to a remote computer.

Regarding claim 30, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a computer system comprising: a computer having a video output coupled to an analog to digital converter, a transmitter coupled to the analog to digital converter for sending a video signal, and a receiver for receiving control signals from a remote source; a display having an enclosed housing configured to be worn on an operator's wrist, wherein the housing comprises an eyepiece configured such that an eye region of the operator may be placed proximate the eyepiece; a receiver mounted within the housing for receiving video signals from the transmitter; a video display coupled to the receiver and contained within the housing of the display for displaying a video image of a signal received by the receiver; an optics assembly contained within the

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housing and operable coupled to the video display for allowing an operator to view the image generated by the video display; and a data input control mounted to the housing and including a transmitter for transmitting control signals to the computer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure..

U. S. Patent No.	6,029,508	Schoenbeck et al.
U. S. Patent No.	5,589,577	Schultz
U. S. Patent No.	5,408,359	Ferrett et al.
U. S. Patent No.	4,639,25	Washizuka

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To Respond

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent E. Kovalick whose telephone number is 571-272-7669. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system; see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Vincent E. Kovalick
March 5, 2007


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